

REMARKS

In response to the above-identified Final Office Action, Applicants amend the Application and seek re-consideration in view of the following remarks. In this Response, Applicants amend claims 7 and 9, and cancel claims 2-4, 6, 8, and 12-28 without prejudice. Applicants do not add any new claims. Accordingly, claims 7 and 9-11 remain pending in the Application.

I. Claims Rejected Under 35 U.S.C. § 112

A. 35 U.S.C. § 112, First Paragraph

Claims 6, 12-15, and 28 stand rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. Applicants have cancelled claims 6, 12-15, and 28.

B. 35 U.S.C. § 112, Second Paragraph

Claims 6, 7, 12-15, and 28 stand rejected under 35 U.S.C. § 112, second paragraph, as failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Applicants have cancelled claims 6, 12-15, and 28, and traverse the rejection of claim 7, at least in view of the amendments to claim 7.

In making the rejection, the Patent Office alleges it is unclear how many possible refrigeration loops are created or what the possibilities are. Specifically, the Patent Office points out that lines 3-5 recite “a plurality,” whereas lines 11-12 recite “the at least one” (emphasis added). Applicants have amended claim 7, lines 11-12 to recite “at least one refrigerant loop of the plurality of possible refrigerant loops” instead of “the at least one of the plurality of possible refrigerant loops,” and submit that claim 7 particularly points out and distinctly claims the subject matter which Applicants regard as the invention. Accordingly, Applicants respectfully request withdrawal of the rejection of claim 7.

II. Claims Rejected Under 35 U.S.C. § 102

Claims 2, 3, 6, 7, 12-15, 27, and 28 stand rejected under 35 U.S.C. 102(b) as being anticipated by, or in the alternative, under 35 U.S.C. § 103(a) as being obvious over U.S. Patent Application Publication No. 2001/0013409 filed by Burk et al. ("*Burk*") in view of U.S. Patent No. 4,128,111 issued to Hansen ("*Hansen*"). Applicants have cancelled claims 2, 3, 6, 12-15, 27, and 28, and traverse the rejection of claim 7, at least in view of the amendments to claim 7.

Applicants have amended claim 7 to recite all of the elements of claim 8. The Examiner indicated that claim 8 would be allowable if it was re-written in independent form including all of the limitations of the base claim and any intervening claims. Applicants submit that amended claim 7 is claim 8 re-written in independent form including all of the limitations of the base claim and any intervening claims. Therefore, Applicants submit that claim 7 is not anticipated by *Burk*, nor is claim 7 obvious over *Burk* in view of *Hansen*. Accordingly, Applicants respectfully request withdrawal of this rejection of claim 7.

III. Claims Rejected Under 35 U.S.C. § 103

Claims 3, 4, and 7 stand rejected under 35 U.S.C. § 103(a) as being obvious over *Burk* in view of U.S. Patent No. 6,094,930 issued to Zeng et al. ("*Zeng*"). Applicants have cancelled claims 3 and 4, and traverse the rejection of claim 7, at least in view of the amendments to claim 7.

As discussed above, Applicants have amended claim 7 to recite all of the elements of claim 8. The Examiner indicated that claim 8 would be allowable if it was re-written in independent form including all of the limitations of the base claim and any intervening claims. Applicants submit that amended claim 7 is claim 8 re-written in independent form including all of the limitations of the base claim and any intervening claims. Therefore, Applicants submit that claim 7 is not obvious over *Burk* in view of *Zeng*. Accordingly, Applicants respectfully request withdrawal of this rejection of claim 7.

IV. Allowable Subject Matter

Applicants note with appreciation the Examiner's indication that claims 8-11 would be allowable if re-written in independent form including all of the limitations of the base claim and any intervening claims. As discussed above, Applicants have cancelled claim 8, but amended claim 7 to recite all of the elements of claim 8. Therefore, Applicants submit that claim 7 is claim 8 re-written in independent form including all of the limitations of the base claim and any intervening claims. Accordingly, Applicants submit that independent claim 7 is in condition for allowance.

Claims 9-11 have been amended to depend from claim 7, and thus, include all of the limitations of claim 7. Therefore, Applicants submit that claims 9-11 are in condition for allowance at least for the same reasons as claim 7, in addition to their own respective features.

V. Miscellaneous

Applicants believe that they are entitled to broader coverage in the present Application than claims 7 and 9-11 reflect. However, for business reasons Applicants have cancelled claims 2-4, 6, 8, and 12-28 without prejudice, and have amended claims 7 and 9 so that a patent may issue on the present Application.

CONCLUSION

In view of the foregoing, it is believed that all claims now pending are in condition for allowance. A Notice of Allowance is earnestly solicited at the earliest possible date. If the Examiner believes that a telephone conference would be useful in moving the application forward to allowance, the Examiner is encouraged to contact the undersigned at the below listed number.

If necessary, the Commissioner is hereby authorized to charge payment or credit any overpayment to Deposit Account No. 07-0960 for any fees required under 37 C.F.R. §§ 1.16 or 1.17, particularly extension of time fees.

Respectfully submitted,

/Laura C. Hargitt/
Laura C. Hargitt – Attorney
Reg. No. 43,989
Telephone: 313-665-4710

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